

Applicant or Patentee: ALEXANDER et al.

Serial No.: 09/662,224

Patent No.:

Filed: September 14, 2000

Issued:

For: **ASSESSING THE CONDITION OF A JOINT AND DEVISING  
TREATMENT**

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9(f) & 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization: Board of Trustees of the Leland Stanford Junior University

Address of organization: Office of Technology Licensing, 900 Welch Road,  
Suite 350, Stanford, CA 94304

Type of organization:

- ☒ University or other institution of higher education
- ☐ Tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)]
- ☐ Nonprofit scientific or educational under statute of state or the United States of America  
(Name of state: )  
(Citation of statute: )
- ☐ Would qualify as tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)] if located in the United States of America
- ☐ Would qualify as nonprofit scientific organization under statute of state of the United States of America if located in the United States of America  
(Name of state: )  
(Citation of statute: )

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 19(e) for purposes of paying reduced fees under 35, United States Code 41(a) or (b) with regard to the invention identified above and described in

- ☐ the specification filed herewith.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual concern or organization having rights to the invention is listed below\* and no rights to the invention are

held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name:

STANFORD UNIVERSITY  
OFFICE OF TECHNOLOGY LICENSING  
900 Welch Road, Suite 350  
Palo Alto, CA 94304-1850

Address:

☐ Individual ☐ Small Business Concern ☒ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Signature:

Katherine Ku

Date:

10/24/00

Name of Person Signing:

Katherine Ku.

Title of person other than owner:

Director, Technology Licensing

Address of person signing

900 Welch Rd, Suite 350 Palo Alto

CA 94304



2  
3

Attorney Docket No.: STAN-144/04US

PATENT

### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### ASSESSING THE CONDITION OF A JOINT AND DEVISING TREATMENT

the specification of which:

☐ is attached hereto.

☒ was filed on September 14, 2000, as Application Serial No. 09/662,224, and as Attorney Docket No. STAN-144/04US.

and

☐ the amendment(s) of which were filed on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) (Country) (Number) (Day/Month/Year Filed)

Priority Claimed (Yes/No)

PCT/US99/30265 December 16, 1999

Yes

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/112,989  
(Application Number)

December 16, 1998  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Appl. Ser. No.</u>	<u>Filing Date</u>	<u>Status (Pat'd./Pend./Aband.)</u>
_____	_____	Pat'd.
_____	_____	Pat'd.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of first sole or inventor:** Eugene J. ALEXANDER

Inventor's signature:  Date: 7 Oct 2000

Residence: 573 Lytton Ave., Apt. D., Palo Alto CA 94301

Citizen of: United States

Post Office Address: Same

**Full name of second sole or inventor:** Thomas P. ANDRIACCHI

Inventor's signature: Thomas P. Andriacchi Date: 10/9/00

Residence: 12167 Altamont Court, Los Altos Hills, CA 94022

Citizen of: United States

Post Office Address: Same

**Full name of third sole or inventor:** Philipp LANG

Inventor's signature: [Signature] Date: 10/9/00

Residence: 3677 Highland Avenue, Redwood City, CA 94062

Citizen of: Germany

Post Office Address: Same

**Full name of fourth sole or inventor:** Daniel STEINES

Inventor's signature: Daniel Steines Date: 10/16/00

Residence: 452 Grant Ave., Palo Alto, CA 94306

Citizen of: Germany

Post Office Address: Same